

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK -----X

DAF
C/m
NOT FOR PUBLICATION

UNITED STATES OF AMERICA,

Respondent,

-against-

ROGER SIEGEL,

Defendant,

MEMORANDUM AND ORDER

05-CV-0796(ERK)
ER

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Korman, Ch. J.

I stated at sentencing that I was imposing a sentence of the 37 months —the low end of the Advisory Guidelines —because (in large part) “without such a sentence the defendant will not get any meaningful treatment from the Bureau of Prisons. And I am not satisfied that, if he was released, [he] would under go such treatment on [his] own.” Tr. 27, July 7, 2006.

My view of the possibility of successful treatment if the defendant was released as a result of a downward departure was based on my overall assessment of him and his prior history as detailed in ¶ 9 of the PSR. My view that a sentence of 37 months was necessary was based on advice I received from the Chief of Probation. This assessment regarding the length of the sentence necessary to ensure meaningful treatment was affected by the fact that defendant had not yet received any treatment from arrest to sentence. He served a little over four months from his arrest until his trial and conviction, and six months from his conviction until he was sentenced. The defendant was sentenced thirty days after the PSR event was prepared.

SO ORDERED:

Brooklyn, New York
July 18, 2006

s/ Judge Edward R. Korman

Edward R. Korman
United States Chief District Judge